

United States Patent and Trademark Office

IFW#

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS PO. Box 1459 Alexandria, Virginia 22313-1450 www.upto.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/795,966

03/08/2004

Gary Marshik

BSI - 036

021323 TESTA, HURWITZ & THIBEAULT, LLP HIGH STREET TOWER 125 HIGH STREET BOSTON, MA 02110



CONFIRMATION NO. 8628
FORMALITIES LETTER
OC000000012785424

Date Mailed: 05/28/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
 Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.

 A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

• Additional claim fees of \$194 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1094 for a Large Entity

08/02/2004 MAHMED1 00000076 10795966

• \$770 Statutory basic filing fee.

\$130 Late oath or declaration Surcharge.

01 FC:1001 770.00 OP

02 FC:1201 86.00 OP 03 FC:1202 108.00 OP

03 FC:1202 04 FC:1051 130.00 OP Total additional claim fee(s) for this application is \$194

- \$86 for 1 independent claims over 3.
- \$108 for 6 total claims over 20.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Complete if Known					
Application Serial Number	10/795,966				
Filing Date	March 8, 2004				
First Named Inventor	Marshik				
Group Art Unit	3634				
Examiner Name	Not Assigned				
Attorney Docket No.	BSI-036				

METHOD OF PAYMENT	FEE CALCULATION (continued)				
1. A Payment Enclosed:	3. ADDIT	ΓΙΟΝAL FE	ES		
☐ Check ☐ Money Order ☐ Other	Large	Small			
·	Entity	Entity		i	
2. A The Commissioner is hereby authorized to credit	Fee	Fee	Fee Description	Fee Paid	
or charge any fee indicated below for this submission	(\$)	(\$)			
to Deposit Account No. 20-0531.					
Required Fees (copy of this sheet enclosed).	130	65	Surcharge - late filing fee or oath	130.00	
Additional fee required under 37 CFR 1.16 and	50	25	Surcharge - late provisional filing fee		
1.17.			or cover sheet		
Overpayment Credit.	130	130	Non-English specification		
3. Applicant claims small entity status.	2,520	2,520	Request for ex parte reexamination		
FEE CALCULATION	110	55	Extension for reply within first month		
1. FILING FEE	420	210	Extension for reply within second		
11 1.53.10 1.55			month		
Large Entity	950	475	Extension for reply within third month		
Fee (\$) Fee Description Fee Paid	1480	740	Extension for reply within fourth		
			month		
p	2010	1005	Extension for reply within fifth month		
770 Utility filing fee 770.00	330	165	Notice of Appeal		
340 Design filing fee	330	165	Filing a brief in support of an appeal		
160 Provisional filing fee	290	145	Request for oral hearing		
	130	130	Petitions to the Commissioner		
Number Number Data Amount	180	180	Submission of Information Disclosure Statement		
Number Number Rate Amount Filed Extra	770	385	Filing a submission after final		
Flied Extra	//0	363	rejection (37 CFR 1.129(a))		

Total Claims $26 - 20 = \underline{6} \times 18.00 = 108.00$	770	385	For each additional invention to be Examined (37 CFR 1.129(b))		
Independent	100	100	Certificate of Correction for		
Claims 4 $-3 = 1$ x $\$ 86.00 = 86.00$	100	100	Applicant's error		
	110	55	Submission of Terminal Disclaimer		
☐ Multiple Dependent Claim(s), if any \$290.00 =	Other fee (Sp	pecify)			
	Other fee (Specify)				
TOTAL: 964.00					
SMALL ENTITY DISCOUNT:				•	
SUBTOTAL (1) (\$) 964.00					
2. AMENDMENT CLAIM FEES					
Claims Highest No. Present Rate Fee Paid			SUBTOTAL (3) (\$	130.00	
Remaining Previously Extra After Amend. Paid For					
Aitei Ainend. Faid Foi					
Total - = $x \$ 18.00 =$			SUBTOTAL (1)	964.00	
Indep = $x \$ 86.00 =$	SUBTOTAL (2) 0.00				
First Presentation of Multiple Dep. + \$290.00 =			SUBTOTAL (3)	130.00	
Claim				L	
TOTAL: (\$) SMALL ENTITY DISCOUNT: (\$)					
			TOTAL (\$)	1004.00	
SUBTOTAL (2) (\$) 0.00			TOTAL (\$)	1094.00	
CORRESPONDENCE ADDRESS	SIGNATURE BLOCK				
Direct all correspondence to:			Respectfully submitted,		
Patent Administrator	D	0.0004	$\mathcal{C}\mathcal{M}\mathcal{M}\mathcal{M}\mathcal{M}\mathcal{M}\mathcal{M}\mathcal{M}\mathcal{M}\mathcal{M}M$		
Testa, Hurwitz & Thibeault, LLP	Date: July 2		Isha V Falsiva	15	
High Street Tower-125 High Street	Reg. No. 42		John V. Forcier		
Boston, MA 02110	Tel. No.: (6				
Tel. No.: (617) 248-7000	Fax No.: (617) 248-7100 Tests, Hurwitz & Thibeault, LLP				
Fax No.: (617) 248-7100			Boston, MA 02110		
	I		DUSIUH, IVIA WZIIU		

OIPE								
TRANSMITTAL		Application	Serial Number	T	10/795,966			
		Filing Date	Filing Date		March 8, 2004			
		First Named	i Inventor	\top	Marshik			
TTIMENTSMITT	TRANSMITTAL		Unit	\top	3634			
LODIA		Examiner N	Examiner Name		Not yet assigned			
FORM		Attorney De	ocket No.	十	BSI-036			
		BATCH NO	NO. (after allowance)		Not applicable			
		Patent No.		\top	Not applicable			
		Issue Date		\top	Not applicable			
ENCLOSURES (check all that apply)								
Fee Transmittal Form		Copy of Notic	e to File Missing					
☐ Check Attached		Parts of Appli	cation (PTO-1553)		of Patent Appeals and Interferences			
Copy of Fee Transmittal Form	⊠	Formal Drawin	ngs (4 pages)		Appeal Brief (in triplicate)			
Amendment/Response		Request For C Examination (Status Inquiry			
☐ Preliminary ☐ After Final		Transmittal			Return Receipt Postcard			
Affidavits/declaration(s) Letter to Official Draftsperson		Power of Atto (Revocation o	rney f Prior Powers)		•			
including Drawings [Total Sheets]		Terminal Disc	laimer					
Petition for Extension of Time			laration and Power r Utility or Design		Additional Enclosure (please identify below)			
		, man			•			
☐ Information Disclosure		Small Entity S	mall Entity Statement		(1 pg.)			
Statement Form PTO-1449					Supplemental Application Data			
			A IV		Sheet (3 pgs.)			
☐ Copies of IDS		CD(s) for large	(s) for large table or computer gram		Patent Practitioners of Record Under 37 CFR § 1.32(c)(3) (1 pg.)			
Certified Copy of Priority Document(s)		Amendment A	After Allowance					
		Request for Co	ertificate of					
Sequence Listing submission Paper Copy/CD		Correction Certificate	e of Correction (in					
☐ Computer Readable Copy		duplicate)	, 01 0011011011 (
☐ Statement verifying identity of above								
CORRESPONDENCE ADDRESS		SIGNATURE BL	OCI	K				
	Administrator				Respectfully submitted,			
Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100			Date: July 28, 2004 Reg. No. 42,545 Tel. No. (617) 248-7675 Fax No. (617) 248-7100 John V. Forcier Attorney for the Applicants Testal Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110					



PATENT Attorney Docket No. BSI-036 (354/73)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS:

Marshik et al.

CONFIRMATION NO.

8628

APPLICATION NO.:

10/795,966

GROUP NO.:

3634

FILING DATE:

March 8, 2004

EXAMINER:

Not yet assigned

TITLE:

Balance Shoe for Tilt-In Window Sashes

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Attached please find the formal drawings for this application - Number of Sheets - 4.

Respectfully submitted,

Date: July 28, 2004

Reg. No. 42,545

John V. Førcker

Attorney for the Applicants

Testa, Hurwitz & Thibeault, LLP

Tel. No.: (617) 248-7675

Fax No.: (617) 248-7100

High Street Tower 125 High Street

Boston, Massachusetts 02110

3099874



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Marshik et al.

CONFIRMATION NO.:

8628

APPLICATION NO.:

10/795,966

GROUP NO.:

3634

FILING DATE:

March 8, 2004

EXAMINER:

Not yet assigned

TITLE:

Balance Shoe for Tilt-In Window Sashes

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 28th day of July, 2004.

Shawna Boudleau
Shawna Boudreau

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Submitted herewith are:

- 1. Transmittal Form (1 pg.);
- 2. Fee Transmittal (1 pg.);
- 3. Transmittal of Formal Drawings (1 pg.);
- 4. Formal Drawings (4 pgs.);
- 5. Declaration and Power of Attorney (4 pgs.);
- 6. Patent Practitioners of Record Under 37 C.F.R. § 1.32(c)(3) (1 pg.);
- 7. Supplemental Application Data Sheet (3 pgs.);
- 8. Check in the Amount of \$1094.00;
- 9. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.); and
- 10. Return receipt postcard.